

ESTTA Tracking number: **ESTTA677529**

Filing date: **06/11/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211530
Party	Plaintiff J-Lynn Entertainment, LLC
Correspondence Address	NEADOM T MEDINA J LYNN ENTERTAINMENT LLC PO BOX 12365 MILL CREEK, WA 98012 UNITED STATES tamar@j-lynnentertainment.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Neadom T Medina
Filer's e-mail	tamar_ccs@yahoo.com
Signature	/Neadom T Medina/
Date	06/11/2015
Attachments	notice of reliance 3_Opposition_91211530_F_r.pdf(589216 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

Registration No. 3682041
For the mark ADVENTURES OF SHADOW,

J-Lynn Entertainment, LLC,

Petitioner,

vs.

William T. Odonnell,

Registrant.

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Opposition No. 91211530
(Parent)

Cancellation No. 92056491
(Child)

OPPOSER'S NOTICE OF RELIANCE

Pursuant to Trademark Rule 2.120(j), Opposer J-Lynn Entertainment LLC hereby introduces into evidence the following document. Exhibit 3, an altered specimen submitted by the Applicant during a written discovery request from the Opposer. The Applicant modified this proof which has no official date, and had the "Limited Edition 2008" label removed which would suggest the product was intended for a one time use and thus abandoned. Furthermore, there are no details or employee signatures that indicate this is an official proof that was used in an actual order. Exhibit 4 includes an image of the original water bottle with the "Limited Edition 2008" label found during the Opposer's investigation. This was omitted by the Applicant in his written discovery response. The omission was called out and submitted by the opposer in the Applicant's written discovery and interrogatory requests. The original water bottle was finally introduced by the Applicant's counsel during the deposition of William T Odonnell Jr on May 26th 2015 as exhibit 13 originally and then re-numbered by Mr. Swyers as exhibit 11. During discovery and deposition of Mr. Odonnell both the Applicant and his counsel have failed to provide a requested physical bottle with the label to the Opposer.

NOR Ex. Number	Deposition Exhibit	Description	Trademark Rule	Relevance
3	3 - Medina 9, (12) - Odonnell	Specimen of bottle label altered by Applicant after cancellation/opposition proceedings were filed.	2.120(j)	Shows the Applicant altering evidence and misleading the USPTO.
4	4 - Medina 10, (13) - Odonnell	Specimen of original bottle label found during the Opposer's investigations. This specimen was omitted by Applicant during discovery.	2.120(j)	Labeling would indicate that "Limited Edition 2008" was a onetime production and discontinued.

Respectfully submitted on June 9, 2015

J-Lynn Entertainment, LLC
 /Neadom T Medina/
 Neadom T Medina
 PO BOX 12365
 Mill Creek, WA 98012
 440-610-5827
 tamar@j-lynnentertainment.com
 Petitioner

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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For the mark ADVENTURES OF SHADOW,

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Petitioner,

vs.

William T. Odonnell,

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Cancellation No. 92056491
Opposition No. 91211530

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I respectfully submitted a copy on this Notice of Reliance upon the Applicant and his counsel on June 9, 2015, to the Trademark Trial and Appeal Board and to be served, via email, via FedEx, first class mail, and via the TTAB's Electronic System for Trademark Trials and Appeals (ESTTA), postage prepaid, upon:

Matthew H. Swyers
The Trademark Company
2703 Jones Franklin Road, Suite 206
Cary, NC 27518

The Trademark Company
344 Maple Avenue West, PMB 151
Vienna, VA 22180

/Neadom T Medina/
Neadom T Medina

Member
PO BOX 12365
Mill Creek, WA 98082
440-610-5827

McClellan Mountain Spring Water

1301 Fay Ave. Samoa CA 95564


Phone: (707) 268-0254

Fax: (707) 268-0220

Art Dept: (707) 268-0211

Email: art@mmspringwater.com

CONTENTS: 20 FL. OZ. SPRING WATER




O'Donnell Entertainment
www.O'DonnellEntertainment.com
877-SIX-DAYS or 877-749-3297



www.Shadow.ws

Creation Research
of North America



www.CreationNews.com
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877-SIX-DAYS or 877-749-3297

CA CASH REFUND
A PREMIUM LABEL FROM MMSPRINGWATER
Bottled by McClellan Mountain Spring Water
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Samoa, California 95564 1-800-869-5388

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J-Lynn Entertainment LLC vs William T Odonnell
Opp No. 91211530 (Parent) /Can No. 92056491(Child) Opposer
Notice of Reliance Exhibit 3__02